

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)	
)	CV-12-099-EFS
Plaintiff,)	
)	FINAL ORDER OF FORFEITURE
vs.)	
)	
\$12,800.00 U.S. CURRENCY,)	
)	
Defendant.)	

Plaintiff, United States of America, alleged in a Verified Complaint for Forfeiture In Rem that the Defendant currency is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881. ECF No. 1.

The Court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. Venue is proper pursuant to 28 U.S.C. § 1395.

The defendant property being forfeited is described as follows:

\$12,800.00 U.S. Currency, seized by DEA from Nikolai David Jones and Christopher L. Walter, on or about September 28, 2011, pursuant to a traffic stop made by Washington State Patrol, on Interstate 90 near milepost 257, and subsequent execution of a state search warrant.

On February 29, 2012, the Clerk's Office issued the Warrant of Arrest In Rem, pursuant to the Court's order of the same date. ECF No. 3.

On March 20, 2012, the Warrant of Arrest In Rem was returned executed. ECF No. 5.

1 Notice of Civil Forfeiture Action was posted on the official
2 government website beginning March 30, 2012, through April 28,
3 2012, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules
4 for Admiralty or Maritime Claims and Asset Forfeiture Actions, as
5 evidenced by the Notice of Publication filed herein on June 20,
6 2012. ECF Nos. 14, 14-1, & 14-2. At the latest, the claim period
7 expired on May 29, 2012.

8 On or about March 26, 2012, Nikolai David Jones was served via
9 certified mail, at his last known address and in care of Attorney
10 Scott Staab, with copies of the Notice of Complaint, Verified
11 Complaint for Forfeiture In Rem, and Warrant of Arrest In Rem, as
12 evidenced by the Certificate of Service of Notice by Mail filed
13 herein. ECF No. 6. On April 5, 2012, Nikolai Jones filed a Claim
14 and an Answer to the complaint. ECF No. 9. On September 27, 2012,
15 Nikolai Jones filed a stipulation to withdraw his claim. ECF No.
16 28.

17 On or about March 26, 2012, Christopher L. Walter, was served,
18 via certified mail, return receipt requested, with a copy of the
19 Verified Complaint for Forfeiture In Rem, Warrant of Arrest In Rem,
20 and Notice of Complaint for Forfeiture, at 2400 North Wilbur Road,
21 Apt. 86, Spokane Valley, Washington. ECF No. 7 & 7-1. Based upon
22 this notice's service date the last date to file a timely claim was
23 May 23, 2012. This address was the address Mr. Walter provided to
24 law enforcement at the time of the traffic stop and seizure of the
25 Defendant \$12,800.00 U.S. currency. On or about October 20, 2011,
26 the Drug Enforcement Administration (DEA) successfully served
27 notice of DEA's administrative forfeiture action upon Mr. Walter at
28 the Wilbur Road address. On or about April 10, 2012, the mailing

1 sent to the Wilbur Road address was received by the United States
2 Attorney's office, stamped "Return to Sender".

3 On or about April 18, 2012, Christopher L. Walter, was served,
4 via certified mail, return receipt requested, with a copy of the
5 Verified Complaint for Forfeiture In Rem, Warrant of Arrest In Rem,
6 and Notice of Complaint for Forfeiture, at 4108 West Olympic
7 Avenue, Spokane, Washington. ECF No. 11 & 11-1. This address was
8 listed as an address associated with Mr. Walter and was discovered
9 during a search of LexisNexis. Based upon this second notice's
10 service date, the last date to file a timely claim was May 23,
11 2012. On or about April 10, 2012, the mailing sent to the Olympic
12 Avenue address was received by the United States Attorney's office,
13 stamped "Not Deliverable as Addressed, Unable to Forward" with
14 handwritten notations of "Return to Sender" and "undeliverable".
15 On or about July 10, 2012, this address was confirmed to be a valid
16 mailing address pursuant to a search on the United States Postal
17 Service's website. To date, no response has been received from
18 Christopher L. Walter. On July 10, 2012, the United States filed
19 a Motion for Default as to Christopher L. Walter. ECF No. 17. On
20 June 10, 2012, the Clerk entered a default order as to Christopher
21 L. Walter. ECF No. 19.

22 It appearing to the Court that any and all potential
23 claimant's interest in the defendant property has been resolved
24 through the stipulation to withdraw claim filed by Nikolai Jones
25 and the entry of the Clerk's Order of Default as the Christopher L.
26 Walter;

27 It also appearing to the Court that no other timely claims
28 have been made to the defendant property;

1 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the
2 defendant property is hereby forfeited to the United States of
3 America, and no right, title, or interest shall exist in any other
4 person.

5 IT IS SO ORDERED. The Clerk's Office is directed to enter
6 this Order and to provide copies to all counsel.

7 DATED this 11th day of October 2012.

8
9 s/Edward F. Shea
EDWARD F. SHEA
10 Senior United States District Judge
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